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**• Comments:**

Attached please find a Letter relating to a previously filed Information Disclosure Statement on October 16, 2001.

MS AF  
PATENT  
0147-0191P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Marion KWART et al. Conf.: 1626  
Appl. No.: 09/485,187 Group: 1638  
Filed: June 26, 2000 Examiner: A. KUHN FAX CENTER  
For: PROCESSES FOR INCREASING THE YIELD  
IN PLANTS SEP 08 2003

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L E T T E R

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 5, 2003

Sir:

In the Office Action issued April 10, 2002, the Examiner states that the Information Disclosure Statement filed January 11, 2002 (Paper No. 14) fails to comply with 37 C.F.R. 1.98(a)(3) because it does not include a concise explanation of the relevance about the content of the information of each publication listed that is not in the English Language.

Applicants have enclosed a copy of the IDS, which was timely filed as noted by the Examiner. As can be seen on page 2, Section III.b. a concise explanation of the Landschutze Ph.D. thesis appears in paragraph two while a concise translation of the thesis of Kuhn appears in the

Application No. 09/485,187

subsequent paragraph. Thus, the Examiner overlooked these two translations which were timely filed and entered into the application file. In view of this, Applicants respectfully request that the Examiner consider this information prior to responding to Applicants timely filed Reply After Final Under 37 C.F.R. § 1.116.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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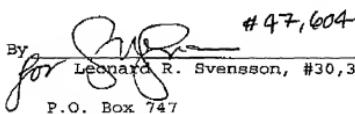
SANDRA B. PAILLO

Typed or printed name of person signing certificate

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
# 47,604

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Enclosure: Information Disclosure Statement